

## Message Text

UNCLASSIFIED

PAGE 01 DUBLIN 00689 031830Z  
ACTION L-03

INFO OCT-01 EUR-12 ISO-00 JUSE-00 /016 W  
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P 031812Z MAR 78  
FM AMEMBASSY DUBLIN  
TO SECSTATE WASHDC PRIORITY 0255

UNCLAS DUBLIN 00689

FOR OFFICE OF LEGAL ADVISER

PASS JUSTICE; ATTENTION: CIVIL DIVISION

E.O. 11652: N/A  
TAGS: ACLM, EI  
SUBJECT: AUTO ACCIDENT

REF: STATE 054228, 2 FAM 284

1. FOLLOWING REPORT ON IMMINENT LITIGATION SUBMITTED IN ACCORDANCE  
WITH 2 FAM 284 AND AS REQUESTED BY REFTEL.

2. PERTINENT DATES IN CHRONOLOGICAL ORDER AS FOLLOWS:

A. MARCH 9, 1976 DATE OF ACCIDENT; ACCIDENT REPORT FILED WITH  
VEHICLE INSURANCE AGENCY.

B. MARCH 15, 1976 INSURER OF OTHER VEHICLE NOTIFIED EMBASSY OF  
CLAIM FILED BY ITS CLIENT AND ASKED EMBASSY TO ADMIT  
LIABILITY.

C. MARCH 18, 1976 LETTER OF MARCH 15TH PASSED TO EMBASSY'S  
INSURER.

D. APRIL 7, 1976 POLICE REPORT OF ACCIDENT OBTAINED. STATES NO  
GUILT, SIMPLY THAT ACCIDENT OCCURRED.

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PAGE 02 DUBLIN 00689 031830Z

E. APRIL 8, 1976 OTHER VEHICLE INSURER NOTIFIED OF EMBASSY'S  
DENIAL OF LIABILITY.

F. APRIL 20, 1976 ESTIMATE OF IP 146.00 TO REPAIR EMBASSY  
VEHICLE RECEIVED.

G. APRIL 23, 1976 OTHER VEHICLE INSURER REQUESTED EMBASSY COMMENTS ON FACTS OF ACCIDENT BY THEIR CLIENT AND ADVISED DAMAGE TO THEIR CLIENT'S VEHICLE AMOUNTED TO IP 360.

H. APRIL 27, 1976 OTHER VEHICLE INSURER REQUESTED ESTIMATE OF COST TO REPAIR EMBASSY VEHICLE.

I. APRIL 30, 1976 EMBASSY RESPONSE TO APRIL 23RD LETTER SENT.

J. MAY 18, 1976 OTHER VEHICLE INSURER REPUDIATES CLAIM BY EMBASSY FOR REPAIR OF EMBASSY VEHICLE.

K. AUGUST 30, 1976 EMBASSY INSURER DENIES CLAIM BY OTHER VEHICLE OWNER.

L. FEBRUARY 16, 1977 EMBASSY INSURER AGAIN ADVISES EMBASSY OF REPUDIATION OF CLAIM BY BOTH INSURERS.

M. MARCH 1, 1978 EMBASSY INSURER ADVISES THAT COURT HEARING WILL TAKE PLACE MARCH 10TH AND ASKS THAT EMBASSY LOCAL EMPLOYEE BE PRESENT AS WITNESS.

N. MARCH 2, 1978 EMBASSY ADMINISTRATIVE OFFICER HAS TELECON WITH SMITH IN L/MGT REQUESTING ADVICE ON CASE.

O. MARCH 3, 1978 REFTTEL RECEIVED AMEMBASSY DUBLIN  
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PAGE 03 DUBLIN 00689 031830Z

3. FACTS OF CASE ARE AS FOLLOWS:

A. DEFENSE ATTACHE OFFICE VEHICLE, CARRYING THIRD PARTY LIABILITY INSURANCE, DRIVEN BY DAO AMERICAN EMPLOYEE SGT. BILL D. ABLES, WITH PASSENGER LOCAL EMPLOYEE PATRICIA A. ENNIS, WAS IN ACCIDENT WITH TRUCK OWNED BY JAMES ROCHE AND DRIVEN BY OWNER'S EMPLOYEE MICHAEL COUSINS. EMBASSY VEHICLE WAS ON OFFICIAL BUSINESS CONNECTED WITH VISIT OF U.S. NAVY SHIP. SGT. ABLES WAS ASSISTANT CONTROL OFFICER OF VISIT AND ENNIS WAS BUDGET AND FISCAL SECTION CASHIER.

B. ABLES AND ENNIS VERSION OF ACCIDENT IS THAT TRUCK WAS IN CENTER LANE AND ABLES PASSED ON RIGHT, THEN MOVED BACK INTO CENTER LANE. AT END OF BLOCK ABLES TURNED RIGHT AROUND CORNER AND THEN TURNED LEFT INTO PARKING SPACE. BOTH STREETS ARE AT LEAST FOUR LANES WIDE AND ARE ONE-WAY. ABLES STATES LEFT TURN BLINKER WAS ON AND AS HE EASED INTO PARKING SPOT HIS VEHICLE WAS STRUCK FROM REAR BY TRUCK.

C. COUSINS VERSION OF ACCIDENT IS THAT EMBASSY VEHICLE PASSED ON RIGHT, SAW PARKING SPOT ON LEFT AND WITHOUT SIGNAL PULLED ACROSS IN FRONT OF HIM AFFORDING HIM NO OPPORTUNITY TO AVOID ACCIDENT.

4. EMBASSY INSURER, AMERICAN INTERNATIONAL INSURANCE COMPANY OF IRELAND LTD., HAVE THEIR SOLICITORS, MESSRS. CULLEN & O'BEIRNE, HANDLING CASE. SOLICITORS REQUEST THAT LOCAL EMPLOYEE, IRISH CITIZEN ENNIS, APPEAR AT HEARING AS WITNESS. SGT. ABLES IS NOW STATIONED IN CYPRUS.

5. EMBASSY RECOMMENDS THAT ENNIS APPEAR AS WITNESS AT HEARING AND THAT SOLICITORS FOR INSURER BE ALLOWED PRESENT CASE ON MARCH 10TH AS SCHEDULED AND TO REPRESENT U.S. GOVERNMENT IN CASE COVERED BY NORMAL THIRD PARTY LIABILITY INSURANCE FOR WHICH INSURANCE PREMIUMS ARE PAID. SHANNON

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## Message Attributes

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Sheryl P. Walter  
Declassified/Released  
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